

REMARKS

In response to the above-identified Office Action, Applicant amends the application and seeks reconsideration thereof. In this response, Applicant amends Claims 1, 5, and 7-11 and cancels Claim 6. Applicant does not add any new claim. Accordingly, Claims 1-5 and 7-15 are pending.

I. Claims Rejected Under 35 U.S.C. §103(a)

Claims 1-4 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2002/0195687 applied for by Brooks, et al ("Brooks") in view of U.S. Patent No. 5,718,941 issued to Dershem, et al ("Dershem"), and further in view of U.S. Patent No. 5,887,345 issued to Kulesza, et al ("Kulesza"). Applicant respectfully traverses this rejection.

In order to render a claim obvious, the relied upon references must teach or suggest every limitation of the claim such that the invention as a whole would have been obvious at the time the invention was made to one skilled in the art. Claim 1 as amended recites the elements of "a contact point," "a first dielectric material," and "a different second polymerizable dielectric material," and wherein "an opening is defined through the first and the second dielectric materials to reach the contact point." Applicant submits that Brooks in view of Dershem and further in view of Kulesza does not teach at least these elements.

The Examiner relies on Brooks for teaching doped oxide 27 (characterized as the first dielectric material) and buffer coat 30 (characterized as the second dielectric material). Brooks also discloses that an opening exists in buffer coat 30 over bond pads 23 (Fig. 5B and paragraph 35). Applicant notes that the disclosed opening merely passes through the first dielectric material to reach bond pad 23, without extending into the second dielectric material. As the Examiner does not explicitly point out which disclosed element corresponds to the claimed contact point, Applicant assumes, for the sake of argument, that either bond pad 23 or element (26 or 28) is the claimed contact point. Under either assumption, the disclosed opening does not pass through the second dielectric material. Further, if element (26 or 28) is the contact point, the disclosed opening does

not even reach the contact point at all. Thus, Brook does not teach or suggest at least the elements of the claimed opening.

The Examiner relies on Dershem for teaching the decomposition temperature and Kulesza for teaching the glass transition temperature as claimed. However, these references do not cure the defect of Brooks for failing to disclose the recited elements. There is nothing in either reference that teaches or suggests the claimed first and second dielectric materials and the opening that passes through the first and the second dielectric materials to reach the contact point. Thus, Brooks in view of Dershem and further in view of Kulesza does not teach each of the elements of Claim 1.

Claims 2-4 depend from Claim 1 and incorporate the limitations thereof. Thus, for at least the reasons mentioned above in regard to Claim 1, Brooks in view of Dershem and further in view of Kulesza does not teach each of the elements of these dependent claims. Accordingly, Applicant respectfully requests withdrawal of the rejection of Claims 1-4.

Claims 5-15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Brooks in view of Dershem and further in view of Kulesza as applied to Claim 1, and further in view of U.S. Patent No. 6,093,636 issued to Carter, et al ("Carter").

Claim 5 as amended recites a method of "depositing a first dielectric material," "depositing a different second dielectric material on the first dielectric material to be in contact with the first dielectric material," and "thermally treating the substrate at a temperature greater than the thermal decomposition temperature of the second dielectric material." Applicant submits that the cited references do not teach at least these elements.

Brooks does not disclose the second dielectric material in contact with the first dielectric material. Rather, the second dielectric material 30 taught by Brooks is separated from the first dielectric material 27 by a layer of oxide 24 and metalization 22. Similarly, neither Dershem nor Kulesza teaches or suggests the layering structure of the first and the second dielectric materials as claimed.

The Examiner relies on Carter for teaching the thermal treatment. However, Carter does not cure the defect of Brooks, Dershem, and Kulesza. Carter discloses an underlying insulation layer

which is characterized by the Examiner as the first dielectric material (col. 3, line 36). Contrary to the Examiner's characterization, Carter explicitly discloses that the underlying layer is made of a metallic electrically conductive material (col. 3, lines 39-41). As dielectric materials are not electrically conductive, the underlying layer cannot possibly teach the first dielectric material. The disclosed Figures 1-8 in Carter at most teach a dielectric material in contact with a metallic material. Thus, the Examiner has not shown and Applicant has been unable to identify any portion of Carter that teaches or suggests the first dielectric material or the second dielectric material in contact with the first dielectric material as claimed. Thus, Brooks in view of Dershem, and further in view of Kulesza and Carter does not teach or suggest each of the elements of Claim 5.

Claim 6 has been canceled. Claims 7-10 depend from Claim 5 and incorporate the limitations thereof. Thus, for at least the reasons mentioned above in regard to Claim 5, Brooks in view of Dershem and further in view of Kulesza and Carter does not teach each of the elements of these dependent claims. Accordingly, Applicant respectfully requests withdrawal of the rejection of Claims 5 and 7-10.

Claim 11 recites the elements of "depositing a first dielectric material," "depositing a different second polymerizable dielectric material," "forming an opening that passes through the first and the second dielectric materials," and "thermally treating the substrate." For at least the reasons mentioned above in regard to Claim 1, Brooks in view of Dershem and further in view of Kulesza does not teach or suggest each of the claimed elements.

Carter does not cure the defect. As the Examiner has not shown the existence of the first dielectric material in Carter, there cannot possibly be an opening that passes through the first and the second dielectric materials as claimed. Thus, Brooks in view of Dershem, and further in view of Kulesza and Carter does not teach or suggest each of the elements of Claim 11.

Claims 12-15 depend from Claim 11 and incorporate the limitations thereof. Thus, for at least the reasons mentioned above in regard to Claim 11, Brooks in view of Dershem and further in view of Kulesza and Carter does not teach each of the elements of these dependent claims. Accordingly, Applicant respectfully requests withdrawal of the rejection of Claims 11-15.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely Claims 1-5 and 7-15 patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

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Andrea Costello 9/30/05
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